

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

B.P.J., by her next friend and mother, HEATHER  
JACKSON,

*Plaintiff,*

v.

Civil Action No. 2:21-cv-00316  
Hon. Joseph R. Goodwin, District Judge

WEST VIRGINIA STATE BOARD OF  
EDUCATION, HARRISON COUNTY BOARD  
OF EDUCATION, WEST VIRGINIA  
SECONDARY SCHOOL ACTIVITIES  
COMMISSION, W. CLAYTON BURCH in his  
official capacity as State Superintendent,  
DORA STUTLER in her official capacity as  
Harrison County Superintendent, and  
THE STATE OF WEST VIRGINIA,

*Defendants,*

and

LAINEY ARMISTEAD,

*Defendant-Intervenor.*

**[PROPOSED] ORDER GRANTING JOINT MOTION TO EXTEND DEADLINES FOR  
DISPOSITIVE MOTIONS AND BRIEFING, TO ESTABLISH A SCHEDULE FOR  
FILING *DAUBERT MOTIONS*, AND FOR LEAVE TO FILE BRIEFS IN EXCESS OF  
THE PAGE LIMITATION OF LOCAL RULE OF CIVIL PROCEDURE 7.1(a)(2)**

Plaintiff B.P.J., by and through her next friend and mother, Heather Jackson; Defendants West Virginia State Board of Education, Harrison County Board of Education, West Virginia Secondary School Activities Commission, W. Clayton Burch in his official capacity as State Superintendent, Dora Stutler in her official capacity as Harrison County Superintendent, and the State of West Virginia; and Defendant-Intervenor Lainey Armistead filed a Joint Motion to modestly extend the existing deadlines for dispositive motions and briefing, to establish a schedule for filing *Daubert* motions, and for leave to file memoranda accompanying dispositive motions

and *Daubert* motions in excess of the 20-page limit established in Local Rule of Civil Procedure 7.1(a)(2).

After considering the moving papers, the Court concludes that the Joint Motion should be granted. According, it is ORDERED that the following schedule shall govern the filing of dispositive motions and *Daubert* motions:

- April 21, 2022: Filing of dispositive motions
- May 12, 2022: Responses to dispositive motions; filing of *Daubert* motions
- May 26, 2022: Replies to responses to dispositive motions; responses to *Daubert* motions
- June 2, 2022: Replies to responses to *Daubert* motions

[It is further ORDERED that the remaining dates in the original scheduling order, including the trial date, shall be as follows: ]

It is further ORDERED that each party is allowed up to 30 pages for each summary judgment memorandum (opening, response, and reply), and that if Plaintiff chooses to submit any omnibus summary judgment memorandum (in opening, response, and/or reply), she shall have up to 60 pages for any such omnibus filing.

It is further ORDERED that each party is allowed up to 25 pages for an opening memorandum in support of a *Daubert* motion and 25 pages for a response memorandum.

ORDERED: \_\_\_\_\_, 2022

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United States District Judge